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TO RUEHC/SECSTATE WASHDC 6308
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE
RUCNDT/USMISSION USUN NEW YORK 0131
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RHEHNSC/NSC WASHDC

C O N F I D E N T I A L LJUBLJANA 000757

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FOR EUR/ERA, EUR/NCE, EUR/SCE

E.O. 12958: DECL: 12/12/2017
TAGS: [PREL](#) [EUN](#) [PGOV](#) [YI](#) [SI](#)
SUBJECT: SLOVENIA AGREES WITH U.S. VIEWS TO RESOLVE KOSOVO
STATUS

REF: STATE 165486

Classified By: CDA Maryruth Coleman for reasons 1.4 (b,d)

Interested in Timing

¶1. (C) In a December 12 meeting with ADCM, MFA Director for Southeastern Europe Leon Marc expressed agreement with U.S. views to resolve Kosovo status (reftel). Marc asked about the timeline for a coordinated declaration of independence, explaining that Slovenia was not just looking at Serbian presidential elections, but would also like to see the SAA signed. Marc inquired as to U.S. views about waiting until after the second round of Presidential elections, tentatively set for February 3. Marc expected that Serbia would likely fix the election dates in the next few days. According to the MFA's analysis, the only legal basis for postponing the elections once they are scheduled would be if the government of Serbia declared a state of emergency; however, if Kosovo had not declared independence, there would be little basis for doing so. Marc said that Slovenia's contacts in Pristina believed that waiting until after February 3 would not deeply affect the Kosovars, but he was interested in USG views. He noted that Slovenia strongly disagreed with the elements that Russia had passed around for a Presidential statement calling for negotiations to continue, and also asked for our views about the Russia angle.

Concern about Regional Implications

¶2. (C) Marc welcomed our point about Serbian threats to retaliate against other states. He noted that the EU had not looked at this enough, but that Serbian retaliatory actions would affect Slovenia, Macedonia, and Bulgaria, among others. He appreciated our emphasis on Serbia's Euro-Atlantic future. He mentioned that the letter to the EU from the EU four in the Contact Group was very good, especially the letter's stress on regional implications and the need to send a positive message to Serbia.

Legal Points

¶3. (C) Marc said that Slovenia agreed with the USG analysis; however, he noted that several EU countries, including Germany, had a problem with the legal basis for deploying an ESDP. He added that although they thought they were on shaky legal ground, they were not saying that in public. He told us that there was an ongoing discussion within the EU about the ESDP mission - the ESDP mission head had no problem

reporting to the UN, but wanted to keep the chain of command with Brussels. Marc stated that Slovenia thought it would need to stretch 1244 to accommodate the ICO mandate, but that it was legally doable, though politically sensitive for Slovenia.

COLEMAN